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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

CASE NO. 3:15-cr-00359-CRB

Plaintiff,

V.

BRIAN PETER STALLINGS.

**STIPULATION AND ORDER MOVING
STATUS CONFERENCE FROM NOVEMBER
23, 2016 AT 10:00 AM TO JANUARY 4, 2017 AT
2:00 PM**

Defendant.

1

The Parties, by their respective counsel, hereby agree and stipulate to move the Status

Conference presently set for November 23, 2016 at 10:00 a.m., to January 4, 2017 at 2:00 p.m., subject to the Court's approval. Defendant requires additional time to obtain medical evidence, which may affect the course and timing of the proceedings in this case.

The Parties concur that, based on the foregoing, that an exclusion of time from November 23, 2016, to January 4, 2017 from the applicable time limits set forth in 18 U.S.C. § 3161 would allow counsel for Defendant the reasonable time necessary for effective preparation of counsel and continuity of counsel because it would allow additional time necessary to review discovery and conduct further plea discussions. *See* 18 U.S.C. § 3161(h)(7).

Accordingly, for the reasons stated above, the Parties jointly request a continuance of the status

1 hearing from November 23, 2016, to January 4, 2017, at 2:00 p.m., and the exclusion of time for this
2 period.

IT IS SO STIPULATED.

5 | Dated: November 21, 2016

s/ Jose A. Olivera
JOSE A. OLIVERA
Assistant United States Attorney
Attorney for Plaintiff

9 | Dated: November 21, 2016

s/ Martin A. Schainbaum
MARTIN A. SCHAINBAUM
Attorney for Defendant

ORDER

For the reasons set forth in the above stipulation, the Court hereby continues the status conference in this case from November 23, 2016 to January 4, 2017, at 2:00 p.m. The Court further finds that the exclusion of time from November 23, 2016 to January 4, 2017, at 2:00 p.m., is warranted to permit the parties to continue to review discovery, and conduct further plea discussions. That period shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv), as the ends of justice served that this exclusion outweigh the best interest of the public and Defendant in a speedy trial.

ORDERED this 21st day of November 2016, at San Francisco, California.


HONORABLE CHARLES R. BREYER
United States District Judge